

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**Cynthia Marie IVEY,**

**Plaintiff,**

**v.**

**FIRST QUALITY RETAIL SERVICES,**

**Defendant.**

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**CIVIL ACTION NO. 5:09-CV-333 (MTT)**

**ORDER**

This matter is before the Court on the Plaintiff's motion for leave to appeal in forma pauperis. (Doc. 35). This Court, Judge Hugh Lawson presiding, initially granted the Plaintiff's motion to proceed in forma pauperis in the district-court action. On May 3, 2011, the Court entered an order granting the Defendant's Motion for Summary Judgment. (Doc. 32). The Plaintiff now seeks to appeal that order.

Pursuant to 28 U.S.C. § 1915(a)(3), "[a]n appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith." For the reasons set forth in the Court's order granting summary judgment for the Defendant, in the Court's best judgment, an appeal from that order cannot be taken in good faith. Accordingly, the Plaintiff's motion for leave to appeal in forma pauperis is **DENIED**.

**SO ORDERED**, this 23rd day of May, 2011.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT